

AO 440 (Rev. 12/09) Summons in a Civil Action

JUDGE JONES

UNITED STATES DISTRICT COURT

for the

Southern District of New York

KAPLAN, INC. and DF Institute, Inc. d/b/a KAPLAN
SCHWESER

Plaintiff

v.

[Added Rider]

Defendant

)
) **12 CV**
) Civil Action No.
)
)
)

3565

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* PETER OLINTO
5446 WHITTEN DRIVE
NAPLES FL 34104 US

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Michelle Mancino Marsh
Aaron D. Johnson
Mimi K. Rupp
KENYON & KENYON LLP
One Broadway
New York, NY 10004

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK

CLERK OF COURT



Signature of Clerk or Deputy Clerk

Date: **MAY 04 2012**

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Peter Olinto
 was received by me on *(date)* 05/13/2012.

☒ I personally served the summons on the individual at *(place)* His Home Address
14 Felkay Court, Kinnelon, NJ 07405 on *(date)* 05/13/2012; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

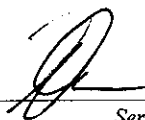
☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: Please see below for a complete list of documents served on Mr. Olinto

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 5/22/12



Server's signature

Danny Callahan, Process Server
Printed name and title

Callahan Lawyers Service
50 Main Street
Hackensack, NJ 07601
Server's address

Additional information regarding attempted service, etc:

DOCUMENTS SERVED: Summons, Plaintiffs' Rule 7.1 Statement, Civil Cover Sheet, Complaint-Exhibits (Redacted), Complaint (Redacted), Declaration of Mimi K. Rupp - Exhibits A and B, Proposed Order to Show Cause, Order to Show Cause for PI, Individual Practices of Judge Barbara S. Jones, Individual Practices of Mag. Judge Gorenstein, SDNY ECF Rules and Instructions, Motion to Seal, Proposed Order to Seal, Motion to Seal re TRO, Proposed Order to Seal, TRO Memo of Law, Declaration of Andrew C. Temte (Redacted), Declaration of Andrew C. Temte - Exhibits B-L, Declaration of Mimi K. Rupp

Added Rider for Summons

The complete caption for this action is:

KAPLAN, INC. and DF INSTITUTE, INC.
d/b/a/ KAPLAN SCHWESER,

Plaintiffs,

v.

OLINTO, LLC; PETER OLINTO; FRANK
STALLA; POFS, LLC d/b/a OLINTO REVIEW;
and CHARTER CONTENT SOLUTIONS, LLC,

Defendants.